

MAYOR AND COUNCIL - REGULAR MEETING

ADMINISTRATIVE ACTION REPORT AND SUMMARY

SEPTEMBER 22, 2003

FROM: CITY MANAGER



1. ROLL CALL: 7:43 P.M.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup, Vice-Mayor Shirley Scott, Council Members Jose J. Ibarra, Carol West, Kathleen Dunbar, Steve Leal, and Fred Ronstadt, Kathleen S. Detrick, City Clerk

STAFF MEMBERS: James Keene, City Manager
Michael House, City Attorney

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Nathan Van De Graff, President of The Church of Jesus Christ of Latter-day Saints; invocation translated from American Sign Language to English by Paul Wynn, Interpreter, after which the Pledge of Allegiance was presented by the entire assembly.

PRESENTATION:

- A. Presentation from Fire Chief Dan Newburn to Jake Root of Daisy Mae's Steak House for their generous donation to the Metropolitan Medical Response System Project.

At this time, Mayor Walkup welcomed visitors from Russia.

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – SEPT22-03-512</p> <p>a. Council Member Dunbar reported on the success of Kids Day, which was held at Doolen Middle School last Saturday, September 20, 2003.</p> <p>b. Council Member Ronstadt announced that he will be hosting “Call City Hall” on Wednesday, September 24, 2003 at 6:30 p.m. The show will be telecast live on Channel 74 (Cox) and 75 (Comcast). He will be joined by University of Arizona President, Peter Likins.</p>	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – SEPT22-03-512 (CONT'D)

- c. Mayor Walkup reported on the festival held last Saturday to raise money and awareness for the Fox Theatre renovations.

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS SEPT22-03-513

City Manager, James Keene, reported on the settlement of 2 cases:

1. Chavez v. City of Tucson was settled for \$250,000
2. Conklin, et. al. v. City of Tucson was settled for \$27,500.

Mr. Keene then announced:

1. The fence around the Downtown Library marks the start of the renovation project, which will create a more welcoming and accessible Library Plaza. Completion is expected in November.
2. Reid Park Zoo was featured on the cover of a national magazine, showcasing the renovations recently completed.
3. At the National NATOA Conference held in September 2003, Channel 12 received many awards. Most notably, 2nd Place – for Overall Excellence in Government Programming, and 1st Place – for the “We Are Tucson” promotional video. Additionally, Jennifer McKinney was named to the National Board of Directors.

5. CALL TO THE AUDIENCE

There were no speakers.

6. C O N S E N T A G E N D A

No Consent Agenda items.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

7. LIQUOR LICENSE APPLICATIONS – SEPT22-03-514

CIRCLE K STORE #5540, CITY # 065-03
BEST WESTERN EXECUTIVE INN, CITY # 064-03
FAMILY COUNSELING AGENCY, CITY # T078-03
OUR LADY QUEEN OF ALL SAINTS CHURCH, CITY # T079-03
SOUTHWEST FAIR COMMISSION, INC., dba S.I.R.,
CITY # T085-03

Council Member West MOVED, SECONDED by Vice-Mayor Scott to direct staff to forward these applications to the State Liquor Board with recommendations for approval.

Motion PASSED by a vote of 7 to 0.

ST. MARGARET MARY PARISH, CITY # T075-03

Council Member Ibarra MOVED, SECONDED by Council Member Leal to direct staff to forward this application to the State Liquor Board with a recommendation for approval.

Motion PASSED by a vote of 7 to 0.

CITY CLERK

8. MAGISTRATES: APPOINTMENT OF ANTONIO F. RIOJAS, JR.
TIMOTHY J. CRANSHAW, AND MITCHELL S. EISENBERG AS
CITY MAGISTRATES – SEPT22-03-516

ORDINANCE NO. 9899
ORDINANCE NO. 9900
ORDINANCE NO. 9901

Council Member Leal MOVED, SECONDED by Council Member Ibarra to pass and adopt Ordinance No. 9899 appointing Antonio F. Riojas, Jr. as a City Magistrate of the City of Tucson; fixing compensation and declaring an emergency.

Motion PASSED by a vote of 7 to 0.

CITY CLERK

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

8. MAGISTRATES: APPOINTMENT OF ANTONIO F. RIOJAS, JR. TIMOTHY J. CRANSHAW, AND MITCHELL S. EISENBERG AS CITY MAGISTRATES – SEPT22-03-516 (CONT'D)

Council Member Leal MOVED, SECONDED by Council Member Ibarra to pass and adopt Ordinance No. 9900 appointing Timothy J. Cranshaw as a Magistrate of the City of Tucson; fixing compensation and declaring an emergency.

Motion PASSED by a vote of 7 to 0.

Council Member Leal MOVED, SECONDED by Council Member Ibarra to pass and adopt Ordinance No. 9901 appointing Mitchell S. Eisenberg as a City Magistrate of the City of Tucson; fixing compensation and declaring an emergency.

Motion PASSED by a vote of 7 to 0.

9. ANNEXATION: RESOLUTION OF INTENT TO ANNEX STATE OWNED PROPERTY WITHIN THE PROPOSED STATE LAND III ANNEXATION DISTRICT – SEPT22-03-517

RESOLUTION NO. 19685

This item was continued indefinitely at the request of the City Manager, in order to continue conversations with the State Land Department.

PLANNING
TASK FORCE
AGENDA
COMMITTEE

10. ZONING: (C9-91-19B) LEWIS – TANQUE VERDE ROAD (SOUTHERN PORTION) C-2 ZONING, CHANGE OF CONDITIONS AND DEVELOPMENT PLAN AND ORDINANCE ADOPTION (Note: public hearing was held on September 8, 2003, the ordinance adoption was continued to September 22, 2003. This item relates to the commercial portion of the property) – SEPT22-03-510

ORDINANCE NO. 9892

Council Member West MOVED, SECONDED by Council Member Leal to pass and adopt Ordinance No. 9892 and approve the requested change of conditions as recommended.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEV.
SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

11. PUBLIC HEARING: ZONING (C9-98-08) WILMOT/INTERSTATE 10 PARTNERSHIP – INTERSTATE 10, C-2/SH TO C-2, TIME EXTENSION AND CHANGE OF PRELIMINARY DEVELOPMENT PLAN – SEPT22-03-511

Vice-Mayor Scott MOVED, SECONDED by Council Member West to continue this public hearing to November 24, 2003.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEV.
SERVICES

12. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES – SEPT22-03-509

Vice-Mayor Scott MOVED, SECONDED by Council Member Leal to appoint Barbara J. Peck to the Pima County/City of Tucson Commission on Addiction Treatment and Prevention.

Motion PASSED by a vote of 7 to 0.

Council Member Dunbar announced her personal appointment of Michael Pesce to the Commission on Disability Issues.

CITY CLERK

13. RECONSIDERATION: APPOINTMENT TO THE PIMA COUNTY FLOOD CONTROL DISTRICT ADVISORY BOARD – SEPT22-03-518

Vice-Mayor Scott MOVED, SECONDED by Council Member Leal to reconsider the appointment of Andy Dinauer as a representative of the City of Tucson to the Pima County Flood Control District Advisory Board.

Motion FAILED by a vote of 3 to 4 (Mayor Walkup, Council Members West, Dunbar and Ronstadt dissenting).

CITY CLERK

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

14. FINANCE: CONTINGENCY FUND TRANSFER FOR THE IMMIGRANT WORKERS' FREEDOM RIDE RALLY – SEPT22-03-519

RESOLUTION NO. 19686

No formal action taken on this item, based on the advice of the City Attorney.

Council Member Ibarra requested a memorial or resolution of support, similar to what was passed by the Board of Supervisors, be scheduled for Mayor and Council consideration.

DIR. OF BUDGET
AND RESEARCH

AGENDA COMMITTEE

15. AGREEMENT: AMENDMENT TO THE LICENSE AGREEMENT WITH SFPP, L.P. dba KINDER MORGAN – SEPT22-03-520

ORDINANCE NO. 9902

Council Member Ibarra MOVED, SECONDED by Council Member Leal to pass and adopt Ordinance No. 9902 with six added conditions:

1. All current deficiencies in the pipeline must be repaired immediately.
2. Commit to move the pipeline route to a less populated area.
3. Establish a partnership with the Fire Chief, so the Chief has full access to information.
4. Safely cover and secure any open trenches at the end of each day.
5. Abandon all hazardous materials in the existing 8-inch line.
6. Increase the depth of the buried pipelines from 3 feet to 6 feet.

Council Member Dunbar MOVED, SECONDED by Council Member Ronstadt to substitute the motion to pass and adopt Ordinance No. 9902.

Substitute motion PASSED by a vote of 5 to 2 (Council Members Ibarra and Leal dissenting).

On a second roll call vote for the sole and separate purpose of amending the ordinance to include the emergency clause, the vote was 7 to 0.

DIR. OF DEV.
SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

16. CALL TO THE AUDIENCE

There were no speakers.

17. ADJOURNMENT: 9:28 P.M.

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, October 6, 2003, at 2:00 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.